

**ZB# 01-65**

**Joseph LoCurto**

**57-1-117**

Prelim.

Dec. 17, 2001.

Public Hearing:

Jan. 14, 2002.

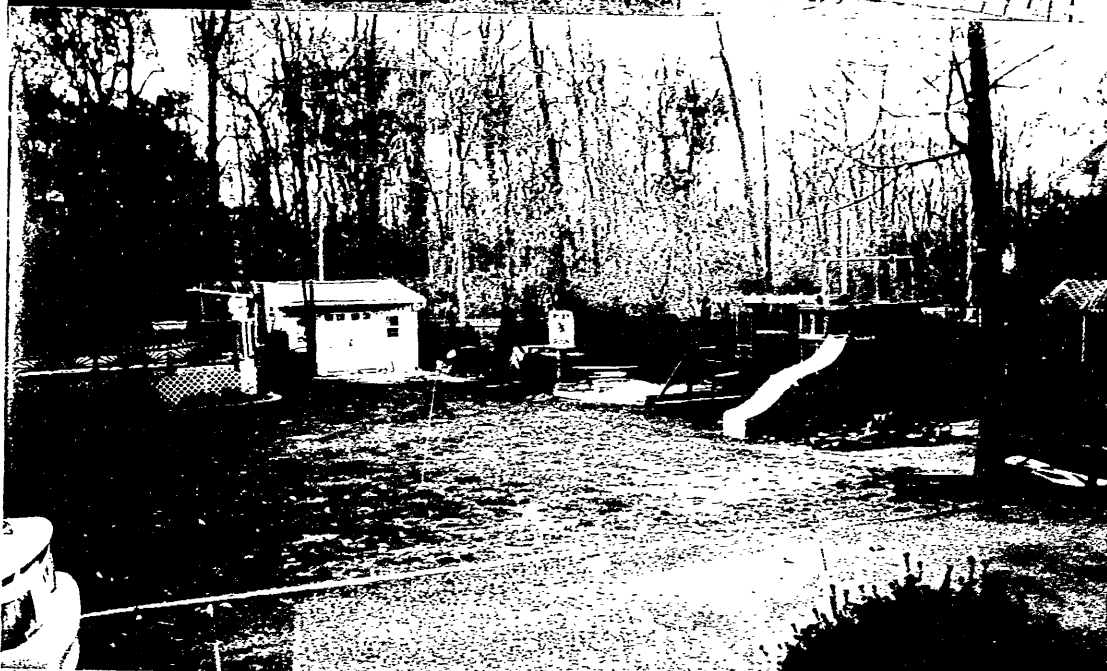
Approved

Refund

\$203.00

#01-65- Locurto, Jos.

Area - 37-1-117.





Date \_\_\_\_\_

**TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553**

TO J + D Tile Home Improvement DR.  
3609 Chestnut Ave. New Windsor, NY 12553

[illegible]

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Locurto

FILE# 01-65

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X

USE     

APPLICATION FOR VARIANCE FEE.....\$ 50.00

*\$25.00 cash  
25.00  
(paid 12/26/01  
ck # 5208*

ESCROW DEPOSIT FOR CONSULTANT FEES.....\$ 300.00

*paid 12/26/01  
ck. # 5207*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 12/17/01-3.....\$ 13.50

2ND PRELIMINARY- PER PAGE.....\$     

3RD PRELIMINARY- PER PAGE.....\$     

PUBLIC HEARING - PER PAGE 1/14/02-3.....\$ 13.50

PUBLIC HEARING (CONT'D) PER PAGE.....\$     

TOTAL.....\$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 12/17/01.....\$ 35.00

2ND PRELIM.....\$     

3RD PRELIM.....\$     

PUBLIC HEARING... 1/14/02.....\$ 35.00

PUBLIC HEARING (CONT'D).....\$     

TOTAL.....\$ 70.00

MISC. CHARGES:

.....\$     

TOTAL.....\$ 97.00

LESS ESCROW DEPOSIT.....\$ 300.00

(ADDL. CHARGES DUE).....\$     

REFUND DUE TO APPLICANT..\$ 203.00

5201

**J & D TILE HOME IMPROVEMENT**  
369 CHESTNUT AVENUE PH. 845-498-6700  
NEW WINDSOR, NY 12553

DATE 12/26/01

01-108/210

PAY  
TO THE  
ORDER OFTown of New Windsor\$ 300.00Three Hundred ANDxx/100

DOLLARS



HSBC BANK, USA  
BARDONIA OFFICE  
340 ROUTE 304  
BARDONIA, NY 10854

FOR

SACD ZBA #01-65.

⑈005207⑈ ⑆021001088⑆095712941⑈

5208

**J & D TILE HOME IMPROVEMENT**369 CHESTNUT AVENUE PH. 845-486-8700  
NEW WINDSOR, NY 12553DATE 12/26/01

01-106/210

PAY  
TO THE  
ORDER OF TOWN OF New Windsor\$ 25.00twenty five and 00/100

DOLLARS

HSBC BANK, USA  
BARDONIA OFFICE  
340 ROUTE 304  
BARDONIA, NY 10954

FOR

SHED #01-65 28A

⑈005208⑈ ⑆021001088⑆095712941⑈



Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 583-4811

**RECEIPT  
#1-2002**

01/02/2002

# 01-65  
J & D Tile Home Improvement  
369 Chestnut Avenue  
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 01/02/2002. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

-----X  
In the Matter of the Application of

**JOSEPH LOCURTO**

MEMORANDUM  
OF DECISION  
GRANTING VARIANCE

#01-65.  
-----X

**WHEREAS, JOSEPH LOCURTO**, 369 Chestnut Avenue, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 3 ft. side yard and 5 ft. rear yard variance for an existing shed at the above residence in an R-4 zone; and

**WHEREAS**, a public hearing was held on the 14th day of January, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared for this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property located in a neighborhood of residential properties.

(b) The property is located at the intersection of two roads thereby giving it legally two front yards. The property appears visually to have a front yard and two side yards.

- (c) There has been a shed in existence for approximately two years.
- (d) No complaints have been received formally or informally.
- (e) The shed was moved to its present location when a development was installed behind the property.
- (f) The shed does not create any water hazards.
- (g) No trees or significant vegetation were removed in erecting the shed.
- (h) The shed is similar in size and appearance to other sheds in the neighborhood.
- (i) The shed is in the most practical location given the shape and configuration of the property.
- (j) The shed would be in an allowable position if it were not for the legal necessity for his property to have two front yards.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations, but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are reasonable in view of the size of the property, its location and its appearance in relation to other properties in the neighborhood.

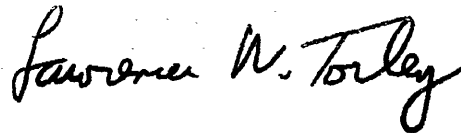
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 3 ft. side yard and 5 ft. rear yard variance for an existing shed at the above residence, in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 8, 2002.



---

Chairman

Date .....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth ..... DR.  
100 N. Drury Lane  
Newburgh, N.Y. 12550  
.....

DATE

CLAIMED

ALLOWED

4/14/02		Zoning Board Mtg	75 00		
		Misc. - 3			
		Fidanza - 6			
		Foley - 4			
		Moss - 4			
		Dean - 4			
		Locurto - 3			
		O'Heefe - 8	144 00		
		32			
			219 00		

PUBLIC HEARING

LOCURTO, JOSEPH

MR. TORLEY: Request for 3 ft. side yard and 5 ft. rear yard variances for existing shed at 369 Chestnut Avenue in an R-4 zone.

Mr. Joseph Locurto appeared before the board for this proposal.

MR. TORLEY: Is there anyone in the audience who wishes to speak on this matter? Let the record show there is none.

MS. CORSETTI: We have 29 notices that went out to adjacent property owners on December 26.

MR. LOCURTO: Basically, it's a variance for the existing shed that I have that was moved, I have two front yards.

MR. KANE: How long has the shed been in existence?

MR. LOCURTO: I'm gonna say approximately two years.

MR. KANE: Any complaints formally or informally about the shed?

MR. LOCURTO: No, it was moved over in that location when they put the development in behind me.

MR. KANE: Any creation of water hazards when building the shed?

MR. LOCURTO: No.

MR. KANE: Cutting down any trees?

MR. LOCURTO: No.

MR. TORLEY: Anybody take a shot at the deer you've got?

MR. LOCURTO: My son with the bow.

MR. KANE: Shed is similar in size to other sheds in the neighborhood?

MR. LOCURTO: Yes, many.

MR. REIS: What brings you to the ZBA, Joe?

MR. LOCURTO: Basically, I had a violation, I didn't know I had the violation.

MR. TORLEY: And the shed is in its present position, is there any reason it can't be moved? Is it on cement?

MR. LOCURTO: If it had to be moved, it can be moved.

MR. TORLEY: Some geographical reason why it can't be moved into compliance because of the landscaping, over a sewer line?

MR. LOCURTO: The way that the yard is set up and I think you can see there it's really the only location where I can really put it and there's enough room in between the pool and the shed if I had to get a truck around from the well, I could get a truck around the whole yard.

MR. TORLEY: If you moved the shed in compliance with the zoning code, it would make it difficult for you to operate and do repair work on the pool or other types of structures?

MR. LOCURTO: Yes, it would, if I was to move it closer.

MR. BABCOCK: This is the one that's Rico Drive was built by.

MR. KRIEGER: If he has two front yards.

MR. BABCOCK: That's correct. There was, that's a new subdivision that goes down behind him, his house has been there for several years and when they put the new subdivision in, they created a corner lot for him.

MR. KANE: If there wasn't a second front yard, would he be here?

MR. BABCOCK: No, because the shed would be fine.

MR. TORLEY: Gentlemen?

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: I make a motion that we accept and pass Mr. Locurto's request for his variance at 369 Chestnut Avenue.

MR. RIVERA: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. RIVERA	AYE
MR. TORLEY	AYE



OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

*Prelims*  
*Dec. 17, 2001*  
*#01-65*

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: Nov. 5, 2001

APPLICANT: Joe LoCurto  
*369* ~~xx~~ Chestnut Ave.  
New Windsor, NY 12553

*496-8710*

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 10/31/2001

FOR : Existing 12 X 16 shed

LOCATED AT: 99 Chestnut Ave.

ZONE: R-4 Sec/ Blk/ Lot: 57-1-117

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 12 X 16 shed does not meet minimum side and rear yard set back.

  
BUILDING INSPECTOR

PERMITTED 10ft

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4      USE: 48-14-A-1-B

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:                      7ft                      3ft

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:                      5ft                      5ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certificate. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

OCT 31 2001

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: PA 2001-1099

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Dawn + Susan LoCuto III

Address

369 Chestnut Ave.

Phone #

496-8700

Mailing Address

369 Chestnut Ave.

Fax #

same

Name of Architect

Address

Phone

Name of Contractor

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of Chesnut Ave.  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 57 Block 1 Lot 117

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? Yes existing 12x16 shed

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \$50.00

part of ct # 5128  
date 10/31/01

**PAID**

10 131 101  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

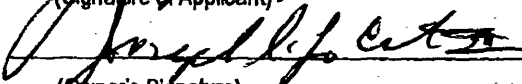
INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

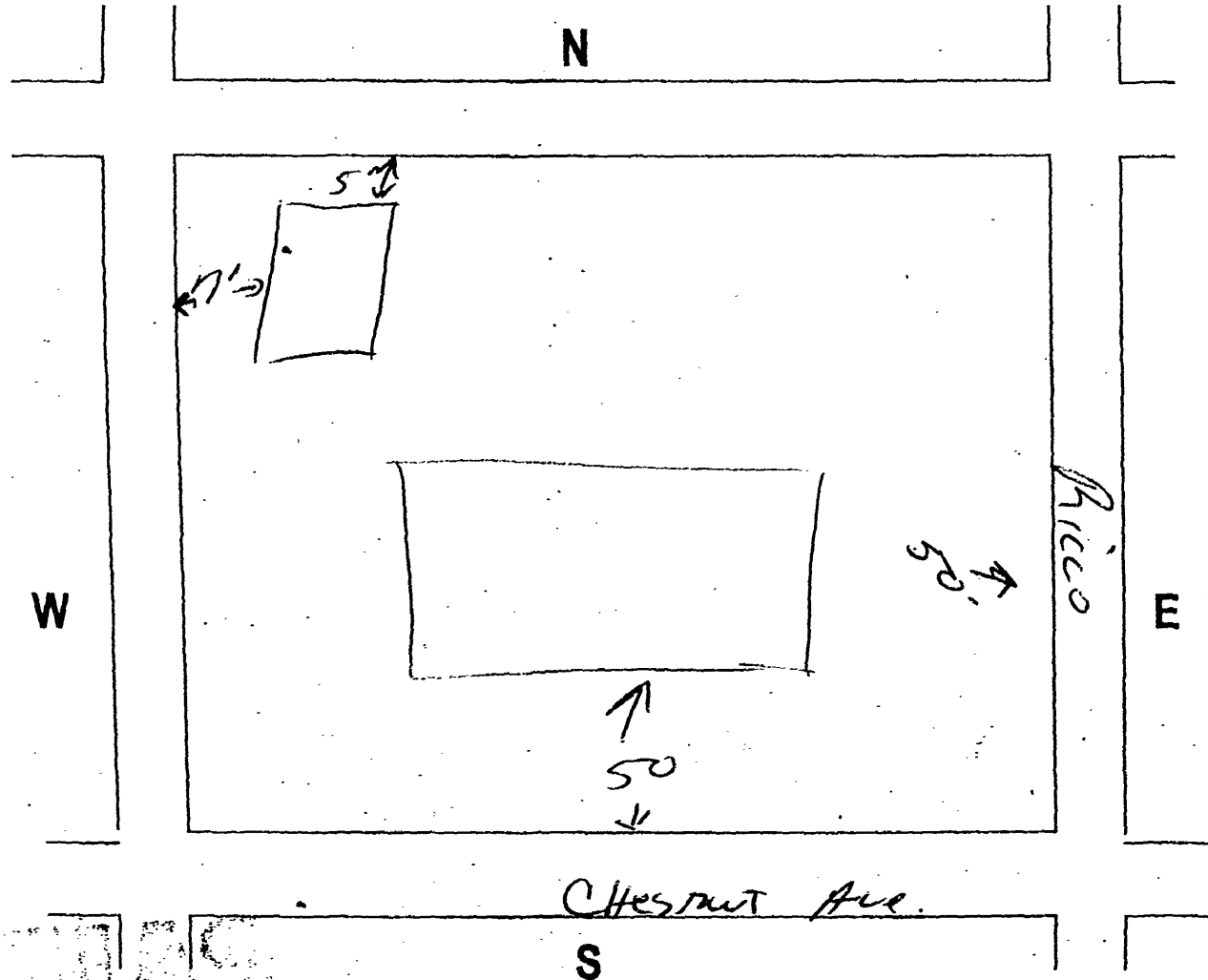
  
(Signature of Applicant)

\_\_\_\_\_  
(Address of Applicant)

  
(Owner's Signature)

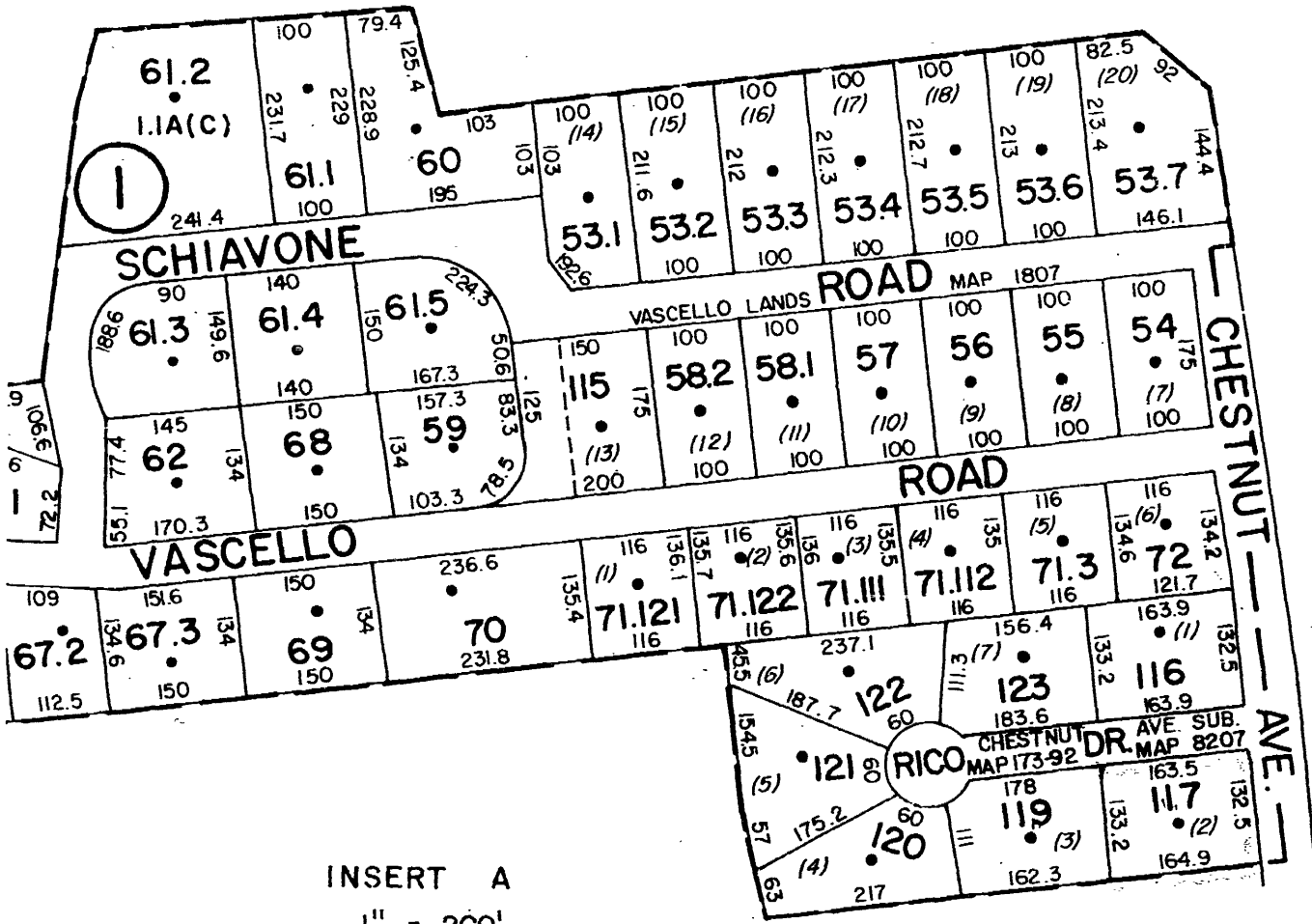
PLOT PLAN

**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



1(C)

CORNWALL



NEW YORK

TOWN OF NEW WINDSOR

9 - 24 - 67

**ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR  
COUNTY OF ORANGE:STATE OF NEW YORK**

**In the Matter of the Application for Variance of**

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

Joseph LoCunto

# 01-65.

STATE OF NEW YORK)  
 ) SS.:  
COUNTY OF ORANGE )

**PATRICIA A. CORSETTI, being duly sworn, deposes and says:**

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 26<sup>th</sup> day of December, 2001, I compared the 29 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corsetti  
Notary Public

Sworn to before me this

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Notary Public**



Date ..... 1/4/02 .....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth  
168 N. Drury Lane  
Newburgh, N.Y. 12550 ..... DR.

DATE			CLAIMED	ALLOWED
12/11/01		NW. Zoning Board	75.00	
		Misc. 3		
		Lacurto - 3 13.50.		
		Curtin - 4		
		Carlone - 2		
		Pflielger - 2		
		A'hrefo - 4		
		Bomaine - 3		
		DiCorco - 2		
		Betrix - 2		
		Sisters of the Presentation - 3		
		<u>28</u>	126.00	
			<u>201.00</u>	

PRELIMINARY MEETING:

LOCURTO, JOE

MR. TORLEY: Request for 3 ft. side yard and 5 ft. rear yard variances for existing shed at 99 Chestnut Avenue in an R-4 zone.

Mr. Joe Locurto appeared before the board for this proposal.

MR. TORLEY: Let me say now most of you are here for preliminary meetings. By law, the zoning board has to do everything by public hearing. We hold these preliminary meetings so you have an idea what will go on at a public hearing, what kind of information we need and communication back and forth so no one gets surprised. Okay, tell us what your problem is.

MR. LOCURTO: I had a shed when I moved in the house at first and I moved it and upgraded it, we put it towards the back of the house when they put the development in behind me, my negligence not notifying the town as far as getting a proper permit for it. The reason for moving it towards the back was because they put the development behind me, I didn't want the back of the shed looking in my neighbor's front yard. I have some pictures if you'd like to see.

MR. KANE: Yes.

MR. BABCOCK: When they put the development in alongside of his house, they actually put him on a corner lot so now he had two front yards.

MR. KANE: Changed him to a corner lot?

MR. BABCOCK: Yes.

MR. KANE: How long did you have the shed back there?

MR. LOCURTO: When the house was built and then when I moved it, I upgraded the size of it, I have a couple different, there's the side, I took this picture, see the swing set there, right back there by the swing set

is where the house is.

MR. KANE: Create any water hazards or runoffs with the moving of the shed?

MR. LOCURTO: No.

MR. KANE: Knock down any trees?

MR. LOCURTO: No.

MR. KANE: Any easements?

MR. LOCURTO: Not on the property itself, no.

MR. TORLEY: One of reasons you moved it was to make your neighbors--

MR. LOCURTO: Due to courtesy, they had asked me a couple times we don't like coming out of the front door looking at this. I said well, I moved it to the side. When I moved it, I upgraded the size to my negligence not notifying the town.

MR. KANE: There'd be no other place to put it?

MR. LOCURTO: No because of the way it's set up, it was over there, look at their front, right over there, there's nothing else.

MR. KANE: Other homes have similar sheds?

MR. LOCURTO: Yeah, similar.

MR. KANE: Accept a motion?

MR. TORLEY: Yes.

MR. KANE: I move that we set up Mr. Joe Locurto for a public hearing on his requested variance at 99 Chestnut Avenue.

MR. LOCURTO: It's 369, they never, for some reason, the town had me as 99 and everyone else was changed but she changed it over at the inspector's office.

December 17, 2001

4

MR. MCDONALD: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. MC DONALD	AYE
MR. RIVERA	AYE
MR. TORLEY	AYE



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

December 19, 2001

29

Joseph LoCurto III  
369 Chestnut Avenue  
New Windsor, NY 12553

Re: 57-1-117

Dear Mr. LoCurto:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

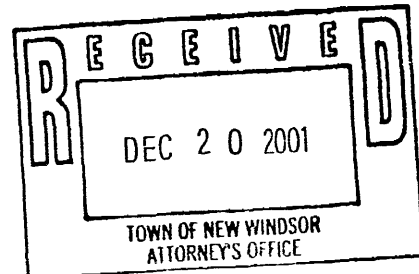
Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook  
Sole Assessor

LC/lrd

CC: Pat Corsetti, ZBA



57-1-39.11  
Susan Pagan  
Carlos Nazario  
376 Chestnut Avenue  
New Windsor, NY 12553

57-1-39.12  
David Richman  
Caroline Abbio  
372 Chestnut Avenue  
New Windsor, NY 12553

57-1-39.13  
Robert & Lauren Lowry  
368 Chestnut Avenue  
New Windsor, NY 12553

57-1-39.141  
Christopher & Kelly Di Bernardo  
382 Chestnut Avenue  
New Windsor, NY 12553

57-1-39.15 & 57-1-39.16  
Brian & Debora Arena  
354 Chestnut Avenue  
New Windsor, NY 12553

57-1-39.19  
Frank & Kimberly Toto  
364 Chestnut Avenue  
New Windsor, NY 12553

57-1-54  
Philip & Nancy Tripi  
389 Chestnut Avenue  
New Windsor, NY 12553

57-1-55  
Joseph & Charlene Marie DiGiacomo  
4 Vascello Road  
New Windsor, NY 12553

57-1-56  
Kevin & Karen Chmielnik  
6 Vascello Road  
New Windsor, NY 12553

57-1-57  
Joseph & Lori Pilonero  
8 Vascello Road  
New Windsor, NY 12553

57-1-71.111  
Keith & Kathleen Studt  
7 Vascello Road  
New Windsor, NY 12553

57-1-71.112  
Patrick McCarthy  
5 Vascello Road  
New Windsor, NY 12553

57-1-71.122  
Raymond & Elizabeth Albrecht  
9 Vascello Road  
New Windsor, NY 12553

57-1-71.3  
Kevin Curran  
3 Vascello Road  
New Windsor, NY 12553

57-1-72  
Joel & Vicki Hansen  
383 Chestnut Avenue  
New Windsor, NY 12553

57-1-74.3  
Robert & Amy Dragos  
46 Lake Side Drive  
New Windsor, NY 12553

57-1-76  
John Ducey  
Giselle Ulmo  
34 Lake Side Drive  
New Windsor, NY 12553

57-1-77  
Barry Saxe  
McDaniel Road  
Shady, NY 12479

57-1-110  
James & Luann Richards  
388 Chestnut Avenue  
New Windsor, NY 12553

57-1-111.1  
George & Erika Galiatsos  
21 Rick Drive  
New Windsor, NY 12553

57-1-112  
Domenick & Gail Anne Mannina  
362 Chestnut Avenue  
New Windsor, NY 12553

57-1-113  
Terrence & Jeannette Retcho  
40 Lake Side Drive  
New Windsor, NY 12553

57-1-116  
Thomas III & Susan Ray  
377 Chestnut Avenue  
New Windsor, NY 12553

57-1-119  
Alfred & Mary Anne Lyman  
3 Rico Drive  
New Windsor, NY 12553

57-1-120  
Francis & Linda Malcolm  
5 Rico Drive  
New Windsor, NY 12553

57-1-121  
Howard & Jacqueline Hunter  
8 Rico Drive  
New Windsor, NY 12553

57-1-122  
Kevin Pearson  
6 Rico Drive  
New Windsor, NY 12553

57-1-123  
Richard & Marion Santiago  
4 Rico Drive  
New Windsor, NY 12553

57-1-127  
Consolidated Rail Corporation  
Property Tax Department  
PO Box 8499  
Philadelphia, PA 19101

**PUBLIC NOTICE OF HEARING**

**ZONING BOARD OF APPEALS**

**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 65.

Request of Joseph LoCurto III

for a VARIANCE of the Zoning Local Law to Permit:

existing shed w/ less than the allowable  
side & rear yards;

being a VARIANCE of Section 48-12 - Table of Use/Bulk Regs. -  
Cols. F & G.

for property situated as follows:

369 Chestnut Avenue, New Windsor

known and designated as tax map Section 57, Blk. 1 Lot 117

**PUBLIC HEARING** will take place on the 14<sup>th</sup> day of January,  
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,  
New York beginning at 7:30 o'clock P.M.

Lawrence Torley  
Chairman

ORT022

ORT022

Bargain & sale deed, with covenant against grantor's acts - Ind or Corp.: single sheet

**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY**

**THIS INDENTURE**, made the 27<sup>TH</sup> day of NOVEMBER, ~~nineteen hundred~~ <sup>2001</sup> and

**BETWEEN**

JOSEPH A. LOCURTO III and DAWN V. LOCURTO, residing at 369 Chestnut Avenue, New Windsor, New York 12553

party of the first part, and

JOSEPH A. LOCURTO III, residing at 369 Chestnut Avenue, New Windsor, New York 12553

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Town of New Windsor, Orange County, New York known as Lot #2, as shown on a map entitled "Quality Home Builders Chestnut Avenue Minor Subdivision", said map having been filed in the Orange County Clerk's Office on April 8, 1987 as Map No. 8207, being more particularly described as follows:

**BEGINNING** at a point in the westerly line of Chestnut Avenue where said line is intersected by the northerly line of lands now or formerly of Messina, running, thence, the following courses;



1. Along said line, North 77 degrees 27 minutes 30 seconds West 164.89 feet to a point;
2. Along the division line between Lot #2 , and Lot #3, as shown on the above-referenced map, North 13 degrees 17 minutes 30 seconds East, 133.20 feet to a point;
3. Still along said division line and along a future fifty (50) foot wide road, South 77 degrees 12 minutes 55 seconds East, 163.49 feet to a point in the westerly line of Chestnut Avenue;
4. Along said line, South 13 degrees 17 minutes 30 seconds West, 44.76 feet to a point;
5. Still along said line, South 12 degrees 23 minutes 00 seconds West, 87.74 feet to the point of BEGINNING.

Being the same premises as conveyed by deed dated 11/18/87 JOSEPH A. LOCURTO III and DAWN V. LOCURTO said deed recorded in the Office of Orange County Clerk dated 11/30/87 in Liber 2840 Page 348.

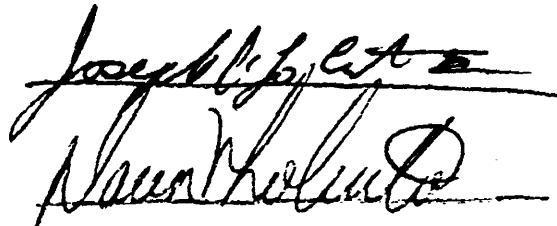
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

The block contains two handwritten signatures. The top signature is for Joseph A. Locurto III, written in a cursive script. The bottom signature is for Dawn V. Locurto, also in cursive. Both signatures are written over horizontal lines.

ACKNOWLEDGEMENT IN NEW YORK STATE (RPL 309-b)

State of New York, County of ORANGE ss.:

On 11/27/01 before me, the undersigned,  
personally appeared

JOSEPH A. LOCUNTO  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Eileen Tassier  
(signature and office of individual taking acknowledgment)

EILEEN TASSIER  
Notary Public, State of New York  
Qualified in Orange County  
Reg. # 5006221 2002  
Commission Expires December 28, 2002

ACKNOWLEDGEMENT IN NEW YORK STATE (RPL 309-b)

State of \_\_\_\_\_ County of \_\_\_\_\_ ss.:

On \_\_\_\_\_ before me, the undersigned,  
personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

ACKNOWLEDGEMENT IN NEW YORK STATE (RPL 309-b)

State of New York, County of ORANGE ss.:

On 11/27/01 before me, the undersigned,  
personally appeared

DAWN V. LOCUNTO  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Eileen Tassier  
(signature and office of individual taking acknowledgment)

EILEEN TASSIER  
Notary Public, State of New York  
Qualified in Orange County  
Reg. # 5006221 2002  
Commission Expires December 28, 2002

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS(ES)

State of \_\_\_\_\_ County of \_\_\_\_\_ } ss.:

On \_\_\_\_\_ before me, the undersigned,  
personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribe his/her/their name(s) as a witness(es) thereto.

(☐ if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

